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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,778	02/28/2005	Bruno Bozionek	2002P10504WOUS	8327

7590 04/16/2008  
Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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KANGARLOO, RAMTIN

ART UNIT	PAPER NUMBER
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2619

MAIL DATE	DELIVERY MODE
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04/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/525,778	<b>Applicant(s)</b> BOZIOONEK ET AL.	
	<b>Examiner</b> RAMTIN KANGARLOO	<b>Art Unit</b> 2619	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 13-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### Response to Amendment

1. Applicant's amendment filed on January 15, 2008 has been entered. Claims 13 -32 are still pending in this application, with claim 1, 26 and 30 being independent.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 13-19, 21 and 23-32 are rejected under 35 U.S.C. 102 (b) as being anticipated by Mayeul (European Patent Application No EP0926909A2 as cited by applicant).

Regarding **Claim 13**, a method for forwarding a signaling message embodied accordance with a first signaling protocol (See col.2, lines 55-57 and col. 1, lines 30-32) from a first device within a first network to a second device within a second network, comprising: receiving the signaling message; connecting the first and second networks by a third network (See Fig 4, Users 10 and 30); providing a network access device in the third network (See Fig.4, User 40); transferring the signaling message from the first

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device to the network access device by tunneling the message through the third network (See Col.4, Lines35-38); determining if the first signal protocol and a second signaling protocol (See col.2, lines 55-57 and col. 1, lines 30-32) supported by the second device are the same protocol, the determination made by the network access device and based on a target datum identifying the second device (See Col.4, Lines40-49); if the protocols are not the same the method further comprising converting the signaling message into the second signaling protocol (information element is in the different format), transferring the converted signaling message to the second device (Fig.4, user 30) by tunneling the message through the third network (See Col.5, Lines 10-22 and fig.4, node22); and if the protocols are the same ( information element is in same format) the method further comprising transferring the signaling message to the second device (Fig.4, user 30) by tunneling the message through the third network (See Col.5, Lines 17-22 and fig.4 node 22).

Regarding **Claim 14**, the method according to claim 13, wherein protocol conversion is handled by the network access device (See Col.4, Lines 33-55).

Regarding **Claim 15**, the method according to claim 13, wherein the network access device performs functions of a telecommunication device, which serves for a switching of a connection for a transfer of voice data in a private data transfer network (see Page. 13, Fig 5).

Regarding **Claim 16**, the method according to claim 13, wherein the network access device switches a connection that transfers voice data in a private data transfer network (see Page. 13, Fig 5).

Regarding **Claim 17**, the method according to claim 16, wherein a data transfer network functions according to the Internet protocol (See Col.1, Lines 36-43).

Regarding **Claim 18**, the method according to claim 13, wherein the network access device performs a network access function for a plurality of terminal devices of a local data network (See Col.1, Lines 32-34).

Regarding **Claim 19**, the method according to claim 13, wherein the network access device performs a network access function for a central device of a plurality of local data transfer networks, the central device perform services for a plurality of terminal devices of a data transfer network (See Col.3, Lines 55-58 and Col 4, Lines 1-2).

Regarding **Claim 21**, the method according to claim 13, further comprising:  
reading the target datum with an access function that reads target data of various  
signaling protocols; and determining the first signaling protocol of the received signaling  
message (See Col.5, Lines 11-22).

Regarding **Claim 23**, the method according to claim 13, further comprising:  
storing the first protocol signal in a storage device; and deciding if a protocol conversion  
is required after the storage step (See Col.8, Lines 50-56).

Regarding **Claim 24**, the method according to claim 13, wherein the signaling  
message relates to a transfer of voice data and/or to the performance of additional  
service features for the transfer of voice data (See Col.7, Lines 44-49).

Regarding **Claim 25**, the method according to claim 24, wherein the transfer of  
voice data is in an operating data packet (See Col.11, Lines 49-51).

In addition using data packet in ISDN is inherent.

Regarding **Claim 26**, a program for determining if a signaling message embodied  
accordance with a first signaling protocol supported by a first device requires conversion

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to a second signaling protocol supported by a second device (See Fig.5), comprising: a receiver for receiving the signaling message; a target datum identifying the second device and thereby identifying the second signaling protocol; a comparator that compares the first signaling protocol of the signaling message with the second signaling protocol; and a converter that converts the signaling message into the second signaling protocol if the comparator indicates the first and second signaling protocols are different (See Col.4, Lines 33-55).

Regarding **Claim 27**, the program according to claim 26, wherein the converter transfers the signaling message to a network access device to do the conversion (See Col.8, Lines 13-22).

Regarding **Claim 28**, the program according to claim 26, further comprising a storage interface that stores the signaling message (See Col.8, Lines 50-56).

Regarding **Claim 29**, the program according to claim 26, further comprising a transferring section that transfers the signaling message to the second device (See Page 14, Fig 6).

Regarding **Claim 30**, a network access device for forwarding a signaling message from a first device in a first device in a first network to a second device in a

second network (See Fig 4, Users 10 and 30), comprising: a control device for evaluating the signaling message and determining the second terminal device; a compare device that compares a first signaling protocol of the signaling message received from the first device and a second signaling protocol supported by the second device; and a transfer device that transfers the signaling message to the second device (See Col.4, Lines 33-55).

Regarding **Claim 31**, the network access device according to claim 30, further comprising an interface that accesses a storage device, the storage device comprising an association between a terminal device and a server as well as an association between a protocol and the server (See Col.8, Lines 47-58).

Regarding **Claim 32**, the network access device according to claim 30, further comprising a conversion device that converts the signaling message embodied according to the first signaling protocol to a second signaling message protocol (See Col.8, Lines 13-22).

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayeul in view Xu (US Patent No 6738390).

Regarding **Claim 20**, Mayeul disclose all of the limitations as applied to claim 13. Mayeul does not specifically disclose the first and second signaling protocols are selected from the group consisting of SIP, H.323, QSIG, SIP based, H.323 based, QSIG based, and combinations thereof. Xu teaches the first and second signaling protocols are selected from the group consisting of SIP, H.323, QSIG, SIP based, H.323 based, QSIG based, and combinations thereof (See Col.1, Lines 9-12 and Lines 66-67 and Col.2, Lines 1-15).

Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to mount SIP, H.323 taught by Xu onto the network system as shown in Mayeul, in order to protocol conversion so that the systems become well organized.

Regarding **Claim 22**, Mayeul and Xu disclose all of the limitations as applied to claim 20. Further, Mayeul disclose no protocol conversion is required if the first and second signaling protocols are in a same protocol family (See Col.5, Lines 20-22).

### **Response to Amendment**

6. Applicant's arguments with regards to claims 13-32 filed on January 15, 2008 have been fully considered but they are not persuasive.

On page 6 of the applicant's response, Applicant argued that "each of the independent claims is directed to signaling messages and signaling protocols while Mayeul (European Patent Application No. EP0926909A2) is not at all related to such." The Examiner respectfully disagrees. As disclosed on column1, lines 30-33, Mayeul discloses that " Signaling protocols for private network are often referred to the "Q" reference point or interface between to integrated service" also on column 2, lines 55-57, Mayeul discloses that " the public telephone network 5 may use another signaling protocol, e.g. common channel signaling system 7 (ss7).

In regards to claims 20 and 23, Applicant argued the reference fails to teach the claimed invention because the primary reference Mayeul (European Patent Application No. EP0926909A2) does not at all relate to signaling protocols. Examiner respectfully disagrees with the same reasons as discussed above.

### **Conclusion**

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RAMTIN KANGARLOO whose telephone number is (571)270-3452. The examiner can normally be reached on Mon to Fri 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chirag Shah can be reached on (571) 272- 3144. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RAMTIN KANGARLOO/  
Examiner, Art Unit 2619  
April 2, 2008

**/Chirag G Shah/  
Supervisory Patent Examiner, Art Unit 2619**